

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CHAD DIEDERICH,
Plaintiff,

v.

MICHIGAN SECRETARY OF STATE,
Defendant.

Case No. 25-10005
Honorable Laurie J. Michelson

**ORDER GRANTING PLAINTIFF'S APPLICATION TO PROCEED
WITHOUT PREPAYMENT OF THE FILING FEE [2] AND SUMMARILY
DISMISSING COMPLAINT [1]**

On January 2, 2025, Chad Diederich filed this *pro se* 42 U.S.C. § 1983 lawsuit against the Michigan Secretary of State Jocelyn Benson alleging that Benson violated his due process rights. (ECF No. 1.) As far as the Court can discern, Diederich argues that Benson revoked or suspended his driver's license pursuant to Michigan Compiled Laws § 257.320(1)(c). (*Id.*) According to Diederich, however, his license should not have been revoked or suspended because he was “was only given two moving violations” and “each moving violation was dismissed by the subsequent Court of law in the particular jurisdiction.” (*Id.* at PageID.7); *see* MCL § 257.320(1) (“The secretary of state . . . may conduct an investigation or reexamination of a person [who] . . . within a 24-month period, has been involved in 3 accidents . . . and the official police report indicates a moving violation on the part of the driver in each of the accidents.”).

Along with his complaint, Diederich also filed a motion to proceed *in forma pauperis*. (ECF No. 2.) The Court may authorize commencement of an action without prepayment of the filing fee and costs if the plaintiff demonstrates they cannot pay such fees. 28 U.S.C. § 1915(a)(1). Here, Diederich alleges he has no source of income and no savings (*see* ECF No. 2), so the Court finds that he has made the required showing of indigence.

That said, “[a]s part of its general power to administer its docket, a district court may stay or dismiss a suit that is duplicative of another federal court suit.” *Curtis v. Citibank, N.A.*, 226 F.3d 133, 138 (2d Cir. 2000); *see Johnson v. Elum*, No. 20-12733, 2020 U.S. Dist. LEXIS 199167, at *3 (E.D. Mich. Oct. 27, 2020). A complaint is duplicative when the “parties and available relief do not significantly differ from an earlier-filed action.” *Cummings v. Mason*, No 11-649, 2011 U.S. Dist. LEXIS 75474, 2011 WL 2745937, at *2 (W.D. Mich. July 13, 2011). Here, Diederich’s complaint is *identical* to a complaint he filed in a different lawsuit currently pending before this Court. *See Diederich v. Michigan Secretary of State*, No. 24-13241, ECF No. 1.

Accordingly, the Court GRANTS Diederich’s motion to proceed IFP (ECF No. 2) and SUMMARILY DISMISSES this case as duplicative of case number 24-13241.

SO ORDERED.

Dated: January 3, 2025

s/Laurie J. Michelson

LAURIE J. MICHELSON
UNITED STATES DISTRICT JUDGE